

84. [Previously added] A structure as recited in claim 83, said structure assuming a plurality of shapes determined by relative positions of said resilient member and said telescoping strut of each of said connector modules.

85. [Previously added] A structure as recited in claim 84, said structure assuming a first shape in two dimensions and a second shape in three dimensions.

86. [Previously added] A structure as recited in claim 64, said structure assuming a first shape in two dimensions and a second shape in three dimensions.

87. [Previously added] A structure as recited in claim 84, said resilient member of each of said connector modules being biased to cause said structure to assume a shape absent an external force.

88. [Previously added] A structure as recited in claim 64, said resilient member of each of said connector modules being biased to cause said structure to assume a shape absent an external force.

REMARKS

Applicant notes with appreciation that claims 22-24, 33, 36, 37, 41-43, 45-47, 50-57, 60-63, 67-69, 72, 73 and 76-79 contain allowable subject matter and would be allowed if rewritten to include the limitations of the base and intervening claims. Claim 53 has been amended to recite its dependence from claim 39, as noted in the Office Action. Claims 24 and 43 have been amended to provide a proper antecedent basis for each of the terms.

Claims 19-21, 25, 34, 35, 38-40, 44, 48, 49, 58, 59, 64-66, 70, 71, 74, 75, 80, 83-88 stand rejected as anticipated by Eppenbach. As a basis of the rejection, the Office Action asserts that Eppenbach discloses a body 57, a resilient member in the form of spring 71, and struts 47, 63, 69. The Office Action explains the rejection by detailing relationships among these elements.

However, the disclosure in Eppenbach is distinguished from the present claims because Eppenbach fails to disclose the body recited in each of the present claims.

Eppenbach discloses a tent and tent pole system in which a tent pole includes a plurality of pole sections, e.g., 47, 49. Pole section 49 includes an elongated member or rod 55 and a ferrule 57 coupled preferably by an adhesive, to an end portion of the elongated member 55. Ferrule 57 extends beyond the end of the elongated member to define an axially opening cavity 59 at one end 60 of the pole section 49. (See, col. 3, line 65 - col. 4, line 4.). The presence of ferrule 57 in Eppenbach does not disclose the body recited in the present claims. Rather than a body, ferrule 57 is a hollow ring about half of which fits over solid elongated member 55, while the remaining half of ferrule 55 extends beyond the end of elongated rod 55 to form cavity 59. Eppenbach also discloses that spring 71 extends over portions of the outer surfaces of pole sections 47 and 49 so that when the end portion 69 of the pole section 47 is received in the cavity 59, the coil spring 71 resiliently retains such end portion in the cavity. See, col. 4, lines, 41-50. Cavity 59 formed by ferrule 57 essentially forms a socket to accommodate end portion 69 and end 65 of elongated member 61 which forms a portion of pole section 47, as discussed at col. 4, lines 1-35. Thus, ferrule 57, which is a hollow ring connected to a rod to form a socket, does not disclose the body recited in the present claims.

Further evidence that ferrule 57 does not disclose a body, as recited in the present claims, is Eppenbach's disclosure that spring 71 in the embodiment illustrated extends over the entirety of ferrule 57 (col. 4, lines 55-60). Eppenbach also discloses that preferably turn 73 of spring 71 engages shoulder 75 of ferrule 57, which is below the end of the ferrule, as shown in Figure 3. See, col. 4, line 55 - col. 5, line 5. As a result, the entire ferrule 57 is surrounded by spring 71, further indicating that ferrule 57 does not disclose a body as recited in the present claims.

For the reasons discussed above, the claims are patentably distinguished over the cited references and early notice of same is earnestly solicited.

Respectfully submitted,

Date

June 17, 2003

By

Brian J. McNamara

FOLEY & LARDNER  
Customer Number: 22428



22428

PATENT TRADEMARK OFFICE

Telephone: (202) 672-5416

Facsimile: (202) 672-5399

Brian J. McNamara  
Attorney for Applicant  
Registration No. 32,789